

Regular Meeting  
Minutes of the Meeting of  
Michigan State Waterways Commission  
June 15, 2007

U. S. Fish and Wildlife Service  
East Lansing, Michigan

A regular meeting of the Michigan State Waterways Commission was called to order by Chairman Bryan Amann at 9:03 a.m. on Friday, June 15, 2007, at the U. S. Fish and Wildlife Service, East Lansing, Michigan. The following Commissioners were present:

Bryan Amann, Chairman  
Bob Brown  
Janet Mansfield  
Carol B. Oakley  
Todd Wyett

Commissioner Denny Bailey was excused.

Commissioner Curtis Hertel, Sr. was absent.

Resource Management Deputy Mindy Koch and other Department of Natural Resources (Department) staff were present.

Public Appearances

**Written correspondence**

The Commission received a copy of a letter dated from Mr. Stephen Hume to the Attorney General's Office regarding Grayhaven Marina.

Minutes

**April 20, 2007**

MOTION: Commissioner Janet Mansfield moved to approve the minutes of the April 20, 2007 Michigan State Waterways Commission meeting. The motion was seconded by Commissioner Bob Brown and it carried unanimously.

Old Business:

Parks and Recreation Division Chief Ron Olson updated the Commission concerning a resolution adopted by the Citizens Committee for State Parks related to the Great Lakes State Park proposal. Six bills have been introduced regarding this proposal, which would create an underwater State park. A hearing was held on Wednesday (June 13)

and the Natural Resources Commission opposed the package of bills. A workgroup has been established to further review the proposal.

Chief Olson also provided material from Heart of the Lakes regarding long-range sustainable funding for natural resources. The information included statistics on Michigan's ranking in per capita spending.

### **Walloon Lake Boat Launch**

On March 28, 2007, Mr. Jordan Byelich and Mr. Bill Boik met with Melrose Township Supervisor Mike Webster. Concept plans are being reviewed to determine if the Village launch is feasible. Mr. Boik also attended a Melrose Township meeting on May 8, 2007. A subcommittee has been assigned to review traffic flow and the Village site has a great deal of support.

Melrose Township Supervisor Webster (his daughter, Jessica Webster was present with him along with her friend, Sarah Hufford) distributed and reviewed aerial maps with the Commission. The Township's ad hoc committee is meeting regularly and working on making the location usable. Due to septic issues, the committee has prepared a letter of support for a new sewage system. Supervisor Webster is excited to have the DNR as partners in this effort. Mixed use development is underway in the area. Mr. Mettler sold the property to the current developer, Mr. Seabolt. The maneuver area was also discussed. Supervisor Webster complimented Mr. Boik on his conduct at the meetings. Chairman Amann thanked Supervisor Webster for his efforts and hard work on this project.

MOTION: Commissioner Wyett moved to approve the proposed Melrose Township boat launch resolution. The motion was seconded by Commissioner Janet Mansfield and passed by acclamation.

Resource Management Deputy Mindy Koch stated that the Walloon Lake Association is engaging in some fund raising efforts for the boat launch and would like the Department to state how it wants to utilize the DNR property. A letter will be sent to the Walloon Lake Association and a copy of the correspondence will be provided to the Waterways Commission.

### **Project Status Report**

Mr. Bill Boik provided an update on current projects as follows:

#### Marinas/Harbors:

- Charlevoix Municipal Marina (Charlevoix County) project consists of new floating docks, bulkhead construction, a new harbor master building, utility improvement, and parking lot construction. Phase III, which will be completed by December 31, 2007 will almost double the number of slips.
- The project at St. Clair Boat Harbor (St. Clair County) is complete. This consisted of dock removal and replacement, dredging, storage building construction, and parking lot redevelopment. Parks and Recreation Division

Chief Ron Olson suggested a ribbon cutting to celebrate completion of this project.

- At Sebewaing Marina (Huron County) DNR staff is working with the U.S. Army Corps of Engineers regarding its dredging project.

Boating Access Sites (BAS)

Mr. Jordan Byelich provided an update on BAS.

- The Sterling State Park BAS (Monroe County) dredging project is not quite complete. Staff has applied for a permit extension and the project should be completed in 2 or 3 more days (it was supposed to be done May 15, 2007). It will be open tomorrow (June 16, 2007).

Other Waterways Projects – All Paving (U.S. Coast Guard Funding)

- West Houghton BAS (Roscommon County)
- M-37 Bridge BAS (Lake County)
- Pine Street BAS (Newaygo County)
- Ocean River Mouth BAS (Presque Isle County) has been advertised with bids due June 27, 2007.
- The Forks BAS (Cheboygan County) is in the permit process. This project will be supplemented with U.S. Coast Guard money.
- Staff has applied for Trust Fund money for Idlewild BAS (Lake County) to develop a carry-down launch with about 12 spaces on a 100 acre lake.
- Staff had a request from someone regarding Bower's Harbor (Leelanau County). The left lane of the launch was clear, but the right side was covered with sand. The local unit is attempting to have the dredge permit extended.

Mr. Boik provided an update on a few additional items:

- Mr. Boik has been in contact with the USACOE regarding encroachment on the harbor of refuge at Leland (Leelanau County). He has not received an answer yet.
- The City voted to support the project on Mackinac Island. September 5, 2007 is the proposed starting date for the project.
- The project at Mackinaw City (Cheboygan County) will be bid out this fall. Phase III and Phase IV are expected to be completed by fall of 2008. Discussion ensued regarding the 100<sup>th</sup> anniversary of the Mackinac Race (in July 2008). The Commission believes this project should be completed before then if at all possible.

Dredging

Mr. Boik provided a schedule of USACOE dredging cycles and reviewed it with the Commission.

**Operations Status Report**

Mr. Harold Herta provided an update on operations as follows:

- The Alanson Lock (Emmett County) repair went well and there have been no complaints on rate change. The USACOE sent a new lease, which is valid through 2010. Commissioner Oakley asked about the cost of the repair (it was \$35,000), which was paid from Waterways funds. The fees will return to the Waterways Fund. The Lock still needs to be renovated (including the hydraulics). It's expected to cost about \$750,000 and may include a different gate. With approximately 460 seasonal passes the fees are expected to pay for the operation. The Cheboygan Lock receives more visitors.
- CRS reservations for harbor slips are down 7.9%, but reservation nights are up 1.6 % as of June 9, 2007.
- Dan Collins, the Harbormaster for the City of Port Huron was present to discuss the Water Street Marina negotiations. Mr. Herta stated that the Department came to an agreement for a payment of \$292,000 to allow the City to convey the property and release it from the grant agreement. Commissioner Wyett spoke with the COE for Atcheson Ventures who stated that the funds earned will be used in Port Huron to maintain facility. Atcheson Ventures have put a lot of funding into the area for items the City cannot afford. The City believes that it is a great opportunity for the community;

MOTION: Commissioner Wyett moved to approve the agreement between the City of Port Huron and the Department of Natural Resources. The motion was seconded by Commissioner Mansfield and unanimously approved.

- Mr. Herta updated the Commission on the Portage Restaurant at Presque Isle. An option to extend the lease is not possible. Mr. Herta will be meeting with Mr. Pete Petalla on June 28 in Lansing and still anticipates a long term lease (25 years) arrangement with the township. The township wants a revenue positive situation and has a great incentive for this to be successful. Resource Management Deputy Mindy Koch stated that the township may be limited by its charter.
- Mr. Olson provided an update on Grayhaven Marina. The Department is working on getting this issue resolved. Waterways money was invested in the property. Staff has received calls from the Michigan United Conservation Clubs (MUCC). Part of the property was purchased with Trust Fund money. The Commission is encouraging the Attorney General's Office to seek injunctive action now. Mr. Hume has been cutting the lawn at the launch and keeping it secure. The Commission requested an affidavit from Mr. Hume. A special committee will be formed to address this issue.

- St. Jean Boat launch is in same vicinity as Grayhaven marina. A developer put up fencing in the middle of the boat launch. Complaints have been received from people wanting to fish and MUCC. This may have been a mistake in the property line.
- Mr. Jason Fleming is working on a project to track all facilities.

### **Standing Committee Reports**

There were no standing Committee reports.

### **Strategic Plan Update**

Ms. Vicki Anthes provided a review of items being utilized for the strategic planning process, including survey cards. The cards will be distributed on nine dates for one hour on each date. Comments are being collected and staff plans to schedule a meeting perhaps in the next fiscal year.

### **New Business**

#### **Update on State Budget**

Mr. Olson stated that not much has changed. Resource Management Deputy Mindy Koch indicated that there was a recent reduction in general funds, which will have an impact on state forest campgrounds. Some will be closing and this will happen very soon. A bill for fish and game fee increases is desperately needed. The Department is totally fee driven which is not workable in meeting the Department's mission. Commissioner Oakley stated that this affects the Waterways Commission due to partnering. She suggested considering a similar resolution to that of Citizen's Committee for State Parks regarding the Michigan Civilian Conservation Corps.

MOTION: Commissioner Carol Oakley moved to pass a resolution in support of the Michigan Civilian Conservation Corps like that passed by the Citizen's Committee for State Parks. The motion was seconded by Commissioner Mansfield and unanimously approved. The Commission made it clear that this was their idea as opposed to being proposed by staff.

#### **Grant-in-Aid Agreement Awards**

Jordan reviewed the proposed Grant-in-Aid agreement awards for the Commission.

MOTION: Commissioner Wyett moved to pass the proposed Grant-in-Aid agreement awards as recommended. The motion was seconded by Commissioner Bob Brown and carried unanimously.

#### **Port Huron River Street Marina Variance Request**

This motion was tabled for the August meeting per request of the City.

MOTION: Commissioner Oakley moved to table this request until the August meeting. The motion was seconded by Commissioner Wyett and approved by acclamation.

### **Biodiesel Proposal**

Mr. Fleming discussed four proposed new locations for biodiesel. Information would be provided on biodiesel prior to any switch. These were chosen due to the availability of diesel nearby. Commissioner Wyett proposes using biodiesel obtained locally.

MOTION: Commissioner Mansfield moved to approve this proposal. The motion was seconded by Commissioner Oakley and it carried unanimously.

### **Proposal for Commercial Use at Tricentennial**

The Maximus Corporation is asking to be allowed to provide boat tours of one of the former Boblo boats (the St. Clair). The boat would permanently dock for this season with later renovation of the hull. The boat can hold 1,900 people and may house a museum and theater.

MOTION: Commissioner Oakley moved to approve this proposal. Commissioner Wyett seconded the motion and it was unanimously approved.

### **South Haven Variance Request**

The City of South Haven is requesting an Increase in seasonal slips due to a drop-off in transient use. Staff supports this request through 2010 in order to review trends.

MOTION: Commissioner Oakley moved to approve this request. The motion was seconded by Commissioner Mansfield and it carried unanimously.

### **Sault Ste. Marie Variance Request**

The request from Sault Ste. Marie related to its desire for five additional seasonal slips at the George Kemp Marina.

MOTION: Commissioner Wyett moved to approve this request. Commissioner Brown seconded the motion and it was approved unanimously.

### **Sea Scouts**

The Boy Scouts of America offers a sailing program for Scouts. They are asking for free dockage at State facilities during training. There would be no allowance to bump a paying customer and no reservations may be made. It would be a float-in situation and allowable due to the fact that they are paying the seasonal rate at another State facility.

MOTION: Commissioner Mansfield moved to approve this request. The motion was seconded by Commissioner Brown and it carried unanimously.

### **Trenton**

The Commission considered a motion honoring the City of Trenton in the cleaning up and renaming of "Black Lagoon" to "Ellias Cove."

MOTION: Commissioner Oakley moved to approve this resolution. The motion was seconded by Commissioner Mansfield and unanimously approved.

**Burt Township**

Mr. Bill Bobier spoke to the Commission regarding failure of the breakwall in Grand Marais. This is an unfunded USACOE project. Chairman Amann requested preparation of a resolution of support for the August meeting. The failure of the breakwall is not only a safety issue, but also cultural and historic.

Other Business:

The Waterways fund is being audited by the Office of the Attorney General.

Commissioner Wyett proposed the use of Waterways money to purchase repairable bikes, spray paint them blue, and place them at State harbors for use by boaters.

The August Commission meeting will be in Charlevoix as the Waterways Commission is allowed one meeting outside of the Lansing area.

MOTION: Commissioner Mansfield moved to adjourn this meeting of the Michigan State Waterways Commission. The motion was seconded by Commissioner Brown and unanimously approved.

This meeting of the Michigan State Waterways Commission was adjourned at 11:54 a.m.